

AMENDED IN ASSEMBLY APRIL 18, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1206**

**Introduced by Assembly Member Jerome Horton**  
***(Coauthor: Assembly Member Bermudez)***

February 22, 2005

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An act to add Section 1227 to the Government Code, relating to public employment relations.

LEGISLATIVE COUNSEL'S DIGEST

AB 1206, as amended, Jerome Horton. Public employment relations: peace officers.

The Meyers-Milias-Brown Act and the Ralph C. Dills Act, which governs public agency employer-employee relations and state employer-employee relations, respectively, permit a public agency employee representative of a recognized employee organization and a state employee representative of a recognized employee organization reasonable time off without loss of compensation or other benefits when formally meeting and conferring with representatives of the public employer on matters within the scope of representation.

~~This bill would require the appointing authority to grant to any person who is a peace officer under specified provisions of existing law, upon request, a leave of absence without loss of compensation for the purpose of enabling the peace officer to serve as an elected officer of any employee organization, or any statewide or national public employee organization with which the local or state employee organization is affiliated. The bill would provide that compensation during the leave would include retirement fund contributions required of the appointing authority as employer. The peace officer would earn full service credit during the leave of absence and would pay member~~

~~contributions to the Public Employees' Retirement System. The bill would provide that following the state's or local agency's payment of the peace officer for the leave of absence, the state or local agency shall be reimbursed by the employee organization to which the peace officer is an elected officer for all compensation paid the peace officer on account of the leave.~~

*This bill would, upon the request of a recognized employee organization representing peace officers, require the employer to administer an employee time bank, as described, to be used by members of the employee organization for the purposes of carrying out the business of that employee organization. The bill would provide that members of a recognized employee organization may contribute sick leave time, vacation time, annual leave time, or other hourly time to the employee time bank account for use by employee organization members for employee organization business. The bill would specify that all costs associated with the administration of the employee time bank, are to be borne by the employee organization.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 1227 is added to the Government Code,
- 2     to read:
- 3     1227. (a) Upon the request of a recognized employee
- 4     organization representing peace officers, the employer shall
- 5     administer an employee time bank to be used by members of the
- 6     employee organization for the purposes of carrying out the
- 7     business of that employee organization.
- 8     (b) Employer and employee policies and procedures regarding
- 9     employee leave, shall not be affected by this section.
- 10    (c) All costs associated with the administration of the
- 11    employee time bank, shall be borne by the employee
- 12    organization.
- 13    (d) As used in this section, an employee time bank is an
- 14    account administered by an employer wherein members of a
- 15    recognized employee organization may contribute sick leave
- 16    time, vacation time, annual leave time, or other hourly time to
- 17    the account for use by employee organization members for
- 18    employee organization business.

1     (e) *The employee time bank shall be in addition to the release*  
2 *time without loss of compensation granted to representatives of*  
3 *an exclusive representative by Section 3505.3 or 3518.5, as*  
4 *appropriate.*

5     SECTION 1. ~~Section 1227 is added to the Government Code,~~  
6 ~~to read:~~

7     ~~1227. (a) The appointing authority shall grant to any person~~  
8 ~~who is a peace officer for the purposes of Chapter 4.5~~  
9 ~~(commencing with Section 830) of Title 3 of Part 2 of the Penal~~  
10 ~~Code, upon request, a leave of absence without loss of~~  
11 ~~compensation for the purpose of enabling the peace officer to~~  
12 ~~serve as an elected officer of any employee organization, or any~~  
13 ~~statewide or national public employee organization with which~~  
14 ~~the local or state employee organization is affiliated.~~

15     ~~(b) The leave shall include, but is not limited to, absence for~~  
16 ~~purposes of attendance by the peace officer at periodic, stated,~~  
17 ~~special, or regular meetings of the body of the organization on~~  
18 ~~which the peace officer serves as an officer. Compensation~~  
19 ~~during the leave shall include retirement fund contributions~~  
20 ~~required of the appointing authority as employer. The peace~~  
21 ~~officer shall earn full service credit during the leave of absence~~  
22 ~~and shall pay member contributions to the Public Employees'~~  
23 ~~Retirement System as prescribed in Chapter 8 (commencing with~~  
24 ~~Section 20671) of Part 3 of Division 5 of Title 2.~~

25     ~~(c) Following the state's or local agency's payment of the~~  
26 ~~peace officer for the leave of absence, the state or local agency~~  
27 ~~shall be reimbursed by the employee organization to which the~~  
28 ~~peace officer is an elected officer for all compensation paid the~~  
29 ~~peace officer on account of the leave. Reimbursement by the~~  
30 ~~employee organization shall be made within 10 days after its~~  
31 ~~receipt of the state's or local agency's certification of payment of~~  
32 ~~compensation to the peace officer.~~

33     ~~(d) The leave of absence without loss of compensation~~  
34 ~~provided for by this section is in addition to the released time~~  
35 ~~without loss of compensation granted to representatives of an~~  
36 ~~exclusive representative by Section 3505.3 or 3518.5, as~~  
37 ~~appropriate.~~